

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
ATHENS DIVISION**

**UNITED STATES OF AMERICA**

**VS.**

**ERIC ANDREWS,**

Defendant

**NO. 3: 10-CR-2 (CAR)**

**VIOLATIONS: Drug & Firearms Related**

**ORDER OF DETENTION PENDING TRIAL**

In accordance with the Bail Reform Act, 18 U.S.C. §3142(f), a DETENTION HEARING was this day held in the above-captioned case before the undersigned. Defendant ANDREWS was represented by Mr. John Philip Fox of the Macon Bar; the United States was represented by Assistant U. S. Attorney Tamara A. Jarrett. Based upon the evidence proffered to the court by counsel for the government and counsel for the defendant, as well as the Pretrial Service Report of the U. S. Probation Office dated February 11, 2010, I conclude that the following facts require the detention of the defendant pending the trial of this case.

**PART I - FINDINGS OF FACT**

- ☐ (1) There is PROBABLE CAUSE to believe that the defendant has committed an offense
- ☐ for which a maximum term of imprisonment of ten years or more is prescribed in the Controlled Substances Act.
- ☐ under 18 U.S.C. §924(c).
- ☐ (2) The defendant has not rebutted the presumption established by finding (1) that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

**ALTERNATIVE FINDINGS**

- ☒ (1) There is a serious risk that the defendant will not appear.
- ☒ (2) There is a serious risk that the defendant will endanger the safety of another person or the community.

**PART II - WRITTEN STATEMENT OF REASONS FOR DETENTION**

Applying the factors set forth in 18 U.S.C. §3142(g), I find that the evidence proffered at the DETENTION HEARING, as supplemented by information contained in the aforementioned Pretrial Services Report, establishes by clear and convincing evidence that no condition or combination of conditions set forth in 18 U.S.C. §3142(c) will reasonably assure the future appearance of the defendant and the safety of the community were he to be released from custody. The defendant is a long-time resident of Athens, Georgia. The offenses charged against him are serious ones for which long-term imprisonment can be expected in the event of a conviction or plea of guilty. His estimated guideline sentencing range is 210 months to 262 months. The weight of evidence is strong. In addition, he and co-defendant Kendrick Jackson were involved in violent actions in Oglethorpe County, Georgia against drug dealers who they were trying to rob by use of firearms. Defendant Andrews is currently under indictment in Oglethorpe County for the offenses of Armed Robbery, Kidnapping, and Aggravated Assault with a bond of \$100,000.

Defendant Andrews has a criminal arrest record going back to 2002. In 2004, he was convicted of VIOLATION OF THE GEORGIA CONTROLLED SUBSTANCES ACT in the Superior Court of Athens-Clarke County. In 2007, defendant Andrews was once again convicted of VIOLATION OF THE GEORGIA CONTROLLED SUBSTANCES ACT in the Superior Court of Athens-Clarke County. He has a history of failing to appear in court, and since 2003 has been charged with some five violations of probation/parole.

For the foregoing reasons, the undersigned finds that pretrial detention is mandated. IT IS SO ORDERED.

<b>PART III - DIRECTIONS REGARDING DETENTION</b>
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The defendant is hereby committed to the custody of the Attorney General of the United States or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

SO ORDERED, this 16<sup>th</sup> day of FEBRUARY, 2010.



A handwritten signature in blue ink, reading "Claude W. Hicks, Jr.".

CLAUDE W. HICKS, JR.  
UNITED STATES MAGISTRATE JUDGE